

**CHAPTER 26
PLANNING AND ZONING
ARTICLE III. ZONES**

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SECTION 26-III-1. Zones Defined.

In order to carry out the purpose of this Ordinance, Cedar City, Utah, is hereby divided into zones as set forth herein. Regulations and restrictions governing the use of land, buildings, structures, size of yards, courts and other open spaces, density of population, location, size and height of building and structures, and the maintenance of the premises shall apply within the several zones as herein provided.

SECTION 26-III-2. R-1 Residential Zone.

(A) Objectives and Characteristics of Zone: The objective in establishing the R-1 Residential Zone is to encourage the creation and maintenance of a residential environment within the City which is characterized by large lots (at least 10,000 square feet) on which single family dwellings are situated, surrounded by well-kept lawns, trees, and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living and the rearing of children shall also be characteristic of this zone. Representative of the uses within R-1 zone are one-family dwellings, parks, agriculture, playgrounds, schools, churches, and other community facilities designed in harmony with the characteristics of the zone. Boarding and lodging houses, two-family dwellings, triplexes, apartment houses and other multiple dwellings representative of higher density residential areas are strictly prohibited in this zone as are commercial and industrial uses and home occupations are strictly limited. Owners and developers of property are advised that primacy is given in this zone to one-family dwellings situated on lots averaging from

ninety (90) to one hundred (100) feet in width and from ten thousand (10,000) to fifteen thousand (15,000) square feet in area, and property should be developed and maintained in recognition

thereof. In order to accomplish the objectives and purposes of this ordinance, and to promote the characteristics of this zone, the following precise regulations shall apply in the R-1 Residential Zone.

(B) Permitted Uses: The following uses shall be permitted in the R-1 Residential Zone:

- (1) One-family dwellings and the following accessory buildings and structures; guest house not to exceed 800 square feet and subject to the setbacks of a one-family dwelling, private garage and/or carport for the storage of automobiles owned by persons residing on the premises, greenhouse for private use only, private swimming pools, pergolas, arbors;
- (2) Bulletin boards not exceeding eight (8) square feet in area pertaining to the lease or sale of property; also name plates in connection with dwellings not exceeding one and one half (1 1/2) square feet in area and constructed and maintained in harmony with the residential character of the zone.
- (3) Fences, walls, and hedges. (See 26-27-12);
- (4) Public schools, public libraries, public recreation buildings and similar public buildings and grounds, churches, but not including temporary revival tents or buildings. Public utility buildings and structures, providing that no storage yard shall be maintained on the premises;
- (5) A temporary building or yard storage of construction materials and equipment incidental and necessary to construction of a house development, utilities, or other community facilities, provided such temporary building or yard is located on the same tract of land on which the houses, utilities or other community facilities are constructed. A permit therefor shall be issued only to the contractor or builder and shall be valid for not more than two (2) years, at the expiration of which time the said building or yard shall be removed from the premises and said use discontinued;
- (6) A temporary office building used as an office in connection with the sale of property within a subdivision under construction provided that the temporary office is located on the same part of land as the subdivision. A permit therefor shall be valid for no more than two (2) years, at the expiration of which time said use shall be discontinued;

- (7) Customary household pets, including, but not limited to dogs, cats, and canaries, but not including the breeding of dogs and cats for sale;
- (8) Home occupations when approved by the Board of Adjustment;
- (9) Planned Unit Developments (PUD's) approved per this ordinance ;
- (10) Residential facility for persons with a disability, not to exceed four (4) residents (see Article XVI) ;
- (11) Public and private parks, playgrounds, green ways, trails, and open space;
- (12) Public and private golf courses; and
- (13) Public and private recreation centers.

Amended by ordinance number 0827-08-2

(C) Conditional Uses: See Section 26-XI-5

Amended by ordinance number 0827-08-2

(D) Lot Area Requirements: An area of not less than Ten Thousand (10,000) square feet shall be provided and maintained for each dwelling and uses accessory thereto.

(E) Lot Width Requirements: The minimum width of any lot for a dwelling shall be ninety (90) linear feet.

(F) Building Setback Requirements:

(1) Side Setback: A minimum side yard of any building shall be eight (8) feet and the total width of the two required side yards shall be not less than twenty (20). The minimum side yard for a private garage shall be eight (8) feet, except that private garages and other accessory buildings, located at least six (6) feet in the rear of the main building may have a minimum side yard of one (1) foot, provided that no private garage or other accessory building shall be located closer than sixteen (16) feet to a dwelling on an adjacent lot. On corner lots, the side yard which faces on a street, shall be not less than twenty (20) feet for main buildings and not less than twenty (20) feet for accessory buildings. A carport may be built within one (1) foot of the property line, except on the street side of corner lots. However, all walls must comply with side yard regulations for buildings.

(2) **Front Setback:** The minimum depth of the front yard for main buildings and for private garages which have a minimum side yard of ten (10) feet shall be twenty-five (25) feet. Other private garages and all accessory buildings other than private garages shall be located at least six (6) feet in the rear of the main building. No structure, fence, or barrier, shall be constructed in a front yard where said structure, fence or barrier would be perpendicular to the street which the front yard faces, so as to divide the front yard into two different yards.

(3) **Rear Setback:** The minimum rear yard for any main building shall be thirty (30) feet; however, minimum rear yard for main buildings on corner lots may be reduced to eight (8) feet. For accessory buildings the minimum rear yard shall be one (1) foot, provided that on corner lots, accessory buildings shall be set back from the rear lot line a distance of at least eight (8) feet.

(G) Building Height Requirements: The maximum height of any building shall be two (2) stories, not to exceed twenty (20) feet, except as provided in Section 26-24 of this ordinance.

(H) Building Size Requirements: The ground floor area of any one-family dwelling shall not be less than one thousand (1,000) square feet, exclusive of open porches and carports.

(I) Special Provisions:

(1) There shall be no outside storage in connection with public buildings, churches, and public utility buildings.

(2) The required front yard and the required side yard, which abuts upon a street, shall not be used for the parking of automobiles, but shall be planted and maintained in lawn, trees, and shrubs, or other customary landscape features, except for permitted driveways.

(J) Supplementary Regulations: See Article IV, Supplementary regulations to All Zones.

SECTION 26-III-3. R-2 Residential Zone.

(A) Objectives and Characteristics: The objective in establishing the R-2 Residential zone is to provide a residential environment within the City which is characterized by a more compact and somewhat denser residential development and a somewhat higher volume of vehicular and pedestrian traffic than is characteristic of the R-1 Zone. Attractive lawns, shrubs and trees, and other landscape plantings about the houses and on the parking strip within the streets is also characteristic of this Zone. Representative of the uses in this zone are one and two family dwellings, and boarding houses and rooming houses, home occupations, parks, playgrounds, schools, churches, and certain other compatible uses. On the other hand, apartment buildings, multiple dwellings, sorority and fraternity houses and other uses normally associated with high

density dwelling areas, as well as commercial and industrial uses, are prohibited from this Zone. In order to accomplish the objectives and purpose of this ordinance, and to promote the essential characteristics of this zone, the following precise regulations shall apply to the R-2 Residential Zone:

(B) Permitted Uses: The following uses shall be permitted in the R-2 Residential Zone:

- (1) Any use permitted in the R-1 Residential Zone.
- (2) Two Family dwelling units which units shall have a common separation, and buildings customarily attached thereto.
- (3) Twin Homes when approved through the subdivision process.
- (4) Boarding and rooming houses having accommodations for not more than three (3) boarders and roomers in addition to the residing family.
- (5) Nursery Schools.
- (6) Rest Homes, also dwelling groups having not more than six (6) dwelling units per acre of land.
- (7) Planned Unit Developments approved per this ordinance.
- (8) Residential facility for persons with a disability, not to exceed eight (8) residents (see Article XVI).

(C) Conditional Uses: See Section 26-XI-5.

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(D) Lot Area Requirements: For single-family detached dwellings, An area of not less than seven thousand (7,000) square feet shall be provided and maintained. For Twin homes, each dwelling unit shall have a lot area of not less than four thousand five hundred (4,500) square feet on each side of the common separation. For duplexes, an area of not less than nine thousand (9,000) square feet shall be provided and maintained.

(E) Lot Width Requirements: The minimum width of any lot shall be seventy (70) linear feet for any twin home or duplex lot (each side of a twin home lot must be at least 35 feet wide) as measured at the front property line, with no portion of the lot being less than the minimum required width.

(F) Building Setback Requirements:

(1) Side Setbacks: The minimum side yard for any dwelling, or boarding and rooming house, shall be six (6) feet and the total width of the two required side yards shall be not less than sixteen (16) feet. The minimum side yard for a private garage or other accessory building shall not be located closer than twelve (12) feet to a dwelling on an adjacent lot. On corner lots, the side yard which faces on a street shall be not less than twenty (20) feet for main buildings and not less than twenty (20) feet for accessory buildings. A carport may be built within one (1) foot of the property line, except on the street side of corner lots. However, all walls must comply with side yard regulations for buildings. A party wall shall be permitted between accessory buildings on adjacent lots when both accessory buildings are located at least twelve (12) feet in the rear of both adjacent dwellings.

(2) Front Setbacks: Same as R-1 Residential Zone.

(3) Rear Setbacks: Same as R-1 Residential Zone except the minimum rear yard for any main building shall be Twenty (20) feet.

(G) Building Height Requirements: Same as R-1 Residential Zone.

(H) Building Size Requirements: The ground floor area of any main building shall not be less than seven hundred fifty (750) square feet, exclusive of open porches and carports. Duplexes shall not have less than three hundred seventy-five (375) square feet on each side of the common wall, exclusive of open porches and carports.

(I) Special Provisions: Same as R-1 Residential Zone.

(J) Supplementary Regulations: See Article IV, Supplementary regulations to all Zones.

SECTION 26-III-4. R-3 Residential Zone.

(A) Objectives and Characteristics: The objective in establishing the R-3 Residential Zone is to provide a residential environment within the City which is characterized by a variety of dwelling types having widely varying forms, shapes and density. Attractive lawns, shrubs, trees, and other landscape plantings about the houses are characteristic of this zone. Typical also of the R-3 Zone is somewhat smaller lot widths, a greater movement of vehicular traffic, and a somewhat denser residential environment than is characteristic of the R-2 Zone. Representative of the uses in this zone are single and multiple family dwellings mingled with apartment houses, schools, parks, and playgrounds. Commercial and industrial uses are not permitted uses in this zone.

(B) Permitted Uses: The following uses shall be permitted in the R-3 Residential Zone:

- (1) Any use permitted in the R-1 and R-2 Residential Zones.
- (2) Three and Four-family dwellings, apartment houses, townhomes and other multiple dwellings.
- (3) Boarding and rooming houses.
- (4) Private Schools.
- (5) Non-profit Community Service Clubs, except those whose activity of which is customarily carried on as a business.
- (6) Planned Unit Developments approved per this ordinance.
- (7) Residential facility for persons with a disability, not to exceed twelve (12) residents (see Article XVI).

(C) Conditional Uses: See Section 26-XI-5.

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(D) Lot Area Requirements: An area of not less than six thousand (6,000) square feet for a single-family dwelling, or nine thousand (9,000) square feet for a duplex or twin home, plus one thousand five hundred (1,500) additional square feet of lot area for each additional dwelling unit above 2 units, and not less than seven thousand (7,000) square feet for any main building other than dwellings. In no case shall there be more than 24 units per acre. Twin homes shall have a minimum lot area of four thousand five hundred (4500) square feet on each side of the common separation.

(E) Lot Width Requirements: The minimum lot widths shall be:

- (1) For single-family detached dwellings: fifty five (55) feet at the front setback.
- (2) For twin homes or duplexes: seventy (70) feet at front property line (35 feet each side of a twin home lot)
- (3) For any multi-unit dwelling: fifty five (55) feet at front property line.

(F) Building Setback Requirements:

- (1) Side Setback: The minimum side yard for any R-3 zone shall be six (6) feet and the total width of the two required yards shall be not less than sixteen (16) feet. The

minimum side yard for a private garage shall be six (6) feet except that private garages and other accessory buildings located at least six (6) feet in the rear of the main building may have a minimum side yard of one (1) foot, provided that no private garage or other accessory building shall be located closer than twelve (12) feet to a dwelling on an adjacent lot. On corner lots, the side yard which faces on a street, shall be not less than twenty (20) feet for main buildings, and not less than twenty (20) feet for accessory buildings. A carport, may be built within one (1) foot of the property line except on the street side of corner lots. However, all walls must comply with said yard regulations for dwellings. A party wall shall be permitted where both accessory buildings are located at least twelve (12) feet in the rear of both adjacent dwellings.

(2) Front Setback: Same as R-1 Residential Zone.

(3) Rear Setback: Same as R-2 Residential Zone.

(G) Building Height Requirements: No building shall be erected to a height greater than thirty-five (35) feet, except as provided by the Board of Adjustment.

(H) Building Size Requirements: No requirements.

(I) Special Provisions: Same as in R-1 Residential Zone.

(J) Supplementary Regulations: See Article IV, Supplementary regulations to all Zones.

SECTION 26-III-5. R-E Residential Estate Zone.

(A) Objectives and Characteristics: The objective in establishing the R-E Residential Estate Zone is to encourage the creation and maintenance of a residential environment within an area which is characterized by large lots (minimum of one acre) on which single family dwellings are situated, surrounded by settings in which the pre-development natural character of the landscape is retained. Native plant species, wildlife habitats, low water consumptive landscapes, minimum vehicular traffic, private lanes connected to public streets, featured or gated entries, building products produced from natural materials, and quiet residential conditions are also characteristic of this zone. While much of this zone is currently devoted to open land uses, it is intended that the land shall be developed into residential uses as the needs arise having characteristics as herein above set forth. The minimum area for a R-E Zone shall be ten (10) acres. Representative of the uses within the R-E Zone are one family dwellings, caretaker's cottages (not to exceed one per lot), parks and playgrounds. Boarding and lodging houses, two family dwellings, triplexes, apartment houses and other multiple dwellings representative of higher density residential areas are strictly prohibited in this zone. Commercial and industrial uses are strictly prohibited. In order to accomplish the objectives and purpose of this ordinance, and to promote the

characteristics of this zone the following precise regulations shall apply to the R-E (Residential Estate) Zone:

(B) Permitted Uses: The following uses shall be permitted in the R-E Residential Zone:

- (1) One-family dwellings and accessory buildings and structures; including guest houses (not to exceed 1200 square feet) and subject to the setback requirements of one-family dwellings, private garage and/or barn;
- (2) Keeping of animals and fowl, as an accessory use to a single family dwelling, limited to the following:
 - a. Two large animals per lot and one additional large animal for each 10,000 square feet over 1 acre. Large animals may include horses, cattle, goats, sheep or other animals judged by the Planning Commission to be compatible with this zone; and
 - b. Not more than 20 poultry or rabbits shall be kept on any lot;
- (3) Planned Unit Developments approved per this ordinance;
- (4) Residential facility for persons with a disability, not to exceed four (4) residents (see Article XVI);
- (5) Public and private parks, playgrounds, green ways, trails, and open space;
- (6) Public and private golf courses;
- (7) Public and private recreation centers.

Amended by ordinance number 0827-08-2

(C) Conditional Uses: See Section 26-XI-5.

Amended by ordinance number 0827-08-2

(D) Area Requirements: An area of not less than one (1) acre (43,560 sq. ft) shall be provided and maintained for each dwelling and uses accessory thereto.

(E) Width Requirements: The minimum width of any building site for a dwelling shall be one hundred-fifty (150) linear feet.

(F) Building Setback Requirements:

(1) Side Setback: A minimum side yard of any building shall be twenty (20) feet, and the total width of the two required side yards shall be not less than forty (40) feet. On corner lots, the side yard which faces on a street, shall be not less than thirty (30) feet for any building.

(2) Front Setbacks: The minimum depth of the front yard for main buildings and for private garages which have a minimum side yard of twenty (20) feet shall be thirty-five (35) feet. Other private garages and all accessory buildings other than private garages shall be located at least six (6) feet in the rear of the main building.

(3) Rear Setbacks: The minimum rear yard for any main building shall be thirty (30) feet.

(G) Building Height Requirements: The maximum height of any building shall be two (2) stories above ground, not to exceed thirty-five (35) feet.

(H) Building Size Requirements: The ground floor area of any one-family main dwelling shall not be less than twelve hundred fifty (1,250) square feet, exclusive of open porches and carports.

(I) Special Provisions:

(1) All Special Provisions in R-1 Residential Zone.

(2) Variations from development standards of other residential zones may be permitted by the City Council as part of the approval of this zone. Variations shall not include changes in the permitted uses allowed except to the extent set forth herein.

(3) The minimum area required for a R-E Residential Estate Zone is ten (10) acres.

(4) All streets within a Residential Estate zone shall meet with City Engineering Standards. Streets adjacent to a Residential Estate zone and master planned arterial and collectors shall be fully improved with curb, gutter and sidewalk in accordance with City Engineer Standards.

(5) The Residential Estate zone is designed to be in areas where the generally uniform slope is 5% or less and therefore, would not require curb, gutter and sidewalks along public streets. Areas with slopes greater than 5% will be permitted with fully improved streets (curb, gutter and sidewalk) or as a P.U.D. Public streets shall have a minimum of one hard-surfaced sidewalk or footpath per street.

(6) Areas used for animals shall be maintained so as to conform with health, sanitation, water and drainage requirements.

(J) Supplementary Regulations: See Article IV, Supplementary Regulations to All Zones.

SECTION 26-III-6, MPD - Master Planned Development Zone

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26-III-6-A Objectives & Characteristics

1. The MPD “Master Planned Development” Zoning District is established to implement the “Master Planned Development” provisions of the Cedar City General Land Use Plan, by providing for the development of large areas of the city as master planned residential developments and communities. Provisions within the zone allow for both small and large scale planned residential developments, along with allowances for larger, mixed-use developments. A development project within the MPD District will encompass the following characteristics either entirely within a specific project, or as a project closely associated with the development or planned development of the neighboring community:
 - a. Residential Variety. A wide variety and choice of residential housing types.
 - b. Transportation Alternatives. A functional transportation network that besides automobile traffic, provides for the needs of pedestrians, cyclists, and mass transit users.
 - c. Community Activity Centers. Community centers that provide a mixture of local shopping, employment, recreational, entertainment, and public service facilities, which are easily accessible from residential areas through bicycle and pedestrian corridors.

- d. Significant Open Space. Large amounts of area that are set aside to enhance the natural landscape; protect scenic views; provide for a wide variant of both active and passive users; and, create significant landscape buffers, especially along major street corridors.
 - e. Resource Conservation. The employment of methods and technologies to reduce environmental impacts and consume fewer resources than more conventional projects. Besides addressing hillside and watershed issues, these methods and technologies also address water usage and energy efficiency.
 - f. Quality Design. Design and building standards that reflect the best qualities of other communities, while incorporating modern planning techniques and new building technologies.
2. This zone is implemented only at the request of the developer. When requesting this zone, the developer does so of his/her own free will and with the knowledge that many of the provisions of the ordinance are subjective in nature and will require negotiation with the City to come to agreeable development standards, with approval of the development subject to an agreement of the City and the developer.

26-III-6-B. Allowable Development Projects

Any development within the MPD zone must be processed as one of two (2) types of development projects: as a Planned Community Development (PCD) or, as a Planned Neighborhood Development (PND). Each of these development types has specific requirements and qualifications as follows:

1. Area Requirements. The amount of acreage required or allowed for each type of development is as listed below. An allowance for up to a five percent reduction in the minimum area is allowed where the project has frontage of at least 660 feet along a major arterial street. Where it is demonstrated that a non-contiguous area is directly associated with the development, and/or is otherwise surrounded by existing development, that area may be considered for inclusion within the same development, but may not be considered as part of the minimum required acreage.
 - a. PCD: 400 acres minimum - No maximum.
 - b. PND: 50 acres minimum - 400 maximum.

2. Multiple Properties and Ownership. Multiple properties and ownerships may be included within any development project, however all owner(s) of any included property must sign the required development agreement, assuring that the project will develop as a unified project. A Title Report is required to be submitted prior to the approval of an MPD Zone, identifying all owners and interests. The development agreement may be construed to allow for specific property owners to represent individual portions of the development, but in any case, the development agreement will not supercede any State or local requirements regarding the recoding of plats, property transfers, and/or associated documents.

3. Allowable Density. A base density of 3.0 units per acre of gross density is permitted within each type of development. However, an increase in the overall density may be allowed as described under the provisions for Project Amenities and bonus Densities (see Section 26-III-H below). The proposed density of a project (in terms of units per acre) must be provided in a chart as part of the master development plan, listing the overall density for the entire project (gross density), as well as the density for each portion or pod of the development (net density).

4. Housing Mix. In order to provide a variety of housing types within the city, each development type is required to provide a minimum mixture of distinctive types of housing. Single-family detached housing may be considered as a different housing type where there is a distinctive variation in lot size and style, however, in PCD and PND developments, single family detached units may not total more than eighty (80) percent of the housing units.
 - a. PCD: 5 housing types (at least two attached or multi-unit types)
 - b. PND: 3 housing types (at least one attached or multi-unit type)

26-III-6-C. Use Regulations.

All proposed uses within an MPD Zone must be called out in the Project Master Plan, or only included through amendments to the Project Master Plan. Unless otherwise modified through subsection “I” below, all “bulk” requirements (those dealing with building heights and setbacks), must follow the minimum requirements for the most closely associated zoning district as otherwise found within the zoning Ordinance. The MPD Zone allows the consideration of the following land uses within an approved development project:

1. Residential Uses. Any use permitted in the R-1, R-2 or R-3 Residential Zones, however, the exclusion of a particular use(s) listed within those zones may be called out within the Project Master Plan.

2. Commercial Uses
 - a. Any retail or office use permitted within a NC Neighborhood Commercial Zone or a CC Central Commercial Zone when it can be shown that the anticipated population of the project, the proposed location of the use in relation to other residential areas, and/or the site's relation to an appropriate road network, is sufficient to sustain those uses. Areas for larger scale community commercial uses such as grocery stores and other retail sales areas, as well as uses such as hotels and motels, must be indicated with a conceptual layout plan to be included with the Project Master Plan. Large scale commercial areas that include stores exceeding an area of 60,000 square feet in gross floor area (GFA) are only permitted to be included in a location that conforms to the City's General Land Use Plan for such larger scale commercial development.
 - b. Other commercial uses deemed to be compatible with the intent of the zone and the adjoining uses.
3. Industrial and Manufacturing Uses. Industrial and manufacturing uses where it can be shown that such uses are adequately integrated into the design of the project so that their impacts are either completely mitigated or adequately transitioned to avoid any the adverse impacts normally associated with mixing such uses with other uses or areas.
4. Agricultural Uses. Agricultural use either as a feature of the plan, or as a transitional use within the plan until such time as that portion of the plan is developed. The particulars and features of such use(s) must be indicated on the Project Master Plan.
If the use is a transitional use, an indication of under what condition or situation the use will be discontinued, must be included with the plan. New construction may be allowed that involves a transitional use when it can be shown that such construction will not create any undue impact on the adjoining development areas, or jeopardize the eventual development of the subject area(s) as called out in the Project Master Plan.
5. Open Space uses and Activities. All uses and structures associated with both active and passive recreational uses, including trails, picnic areas, athletic fields, recreation centers, golf courses and associated activities, and any similar outdoor use.
6. Public and Quasi-Public Uses. Churches, schools, libraries, recreation centers, medical clinics, police stations, fire stations, and similar uses.

7. Other Uses. Uses not included above may be considered and approved with the Project Master Plan when it can be shown that they are generally similar in nature and impact to those listed above, and/or would provide a desirable use within the project that would not be considered detrimental to surrounding areas or other areas of the city.

26-III-6-D. Zone Designation.

The following process is required for the adoption of an MPD Zone:

1. Qualifying Areas. All areas indicated as a Residentially Planned Area on the City's General Land Use Plan map may be considered for designation as an MPD Zone. Additionally, an area with any other designation on the General Land Use Plan map may also be considered when it can be shown that the area can be developed in conjunction with a qualifying development project in an area designated on the General Land Use Plan map as a Residentially Planned Area.
2. Minimum Area. The minimum area requested for an MPD Zone designation must be of sufficient size to meet the minimum development standards for an allowed development project as listed under subsection "B" above.
3. Re-zoning Process. The re-zoning of a property to the MPD zone shall follow the same process required for the re-zoning of a property to any other zoning district within the city.

26-III-6-E. Development Review.

The following process is required for the initial and final approval of a development within an MPD Zone.

1. Application for Development. An application for a development within an MPD zone may be considered concurrently with the rezoning of the property, however a development plan is not required at the time of the rezoning consideration. In any case, once a property is rezoned to the MPD Zone, the following items are necessary for a development within the MPD zone to proceed.
 - a. Meeting with Staff. Prior to the submittal of an application for a proposed development project, the developer meets with staff as needed, to understand what specific items are required, and what specific conditions might need to be addressed with the application. Following the submittal of the application, follow-up meetings may need to be held to insure that all items necessary for the application are completed, including both the Conceptual Development Plan and the Preparatory Documents.

- b. Preparation of Conceptual Development Plan. The Conceptual Development Plan is the initial development plan that, through any necessary revisions, becomes the proposed Project Master Plan. The following outlines the basic information and use descriptions to be included with the Conceptual Development Plan:
 - i. Residential Areas. Residential areas are to be indicated by descriptive type and general density. Any residential area that is to be developed with common ownership(s), and/or with provisions for a Home Owners Association (HOA), must be deemed to be of sufficient size to guarantee maintenance or repair of any required improvement, amenity, or common feature associated with that area;
 - ii. Community Activity Centers. Community activity centers are to include a mixture of local shopping, employment, recreational, entertainment, and public service facilities that are easily accessible from housing areas through bicycle and pedestrian corridors. Community centers may also include appropriate housing developments as part of the mixture of uses;
 - iii. Open Space Provisions. Open Space provisions must include provisions for both active and passive uses, and provide for the protection of natural landscapes and scenic view corridors. Extra landscape areas should also be provided in project entryways, and along major streets that either adjoin the project or are located within the project. Generally, these provisions should allow for the dedication of at least 2 percent of the land area for each unit per acre of project density;
 - iv. Public Services. Provisions shall be made for both necessary and desirable public service uses. These provisions may include sites for schools, churches, fire and police stations, and similar uses that address the project's sustainability.
- c. Preparatory Documents. The following documents are required prior to the Planning Commission's action on a development within an MPD zone:
 - i. Critical Lands Inventory and Assessment that denotes the following:
 - 1) Areas that are limited for development because of natural or physical features, or for environmental consideration that may

include, but are not limited to:

(a) Wetlands, Waterways and Flood Plains

(b) Slopes greater than 30 percent

- ii. Preliminary Soil and Geotechnical Reports:
- iii. Preliminary Utilities Report evaluating the current and future utility needs of the project, including water, sewer, storm drain, and power, and those utilities indicated within the City's related Master Plans;
- iv. Community Services Report evaluating the community services needs (especially emergency services) that are anticipated for the project, the point when they will be needed, and the means to provide for them;
- v. Any additional preliminary studies and documentation required by the City.

2. Initial approval of Development.

a. Review Process

- i. Planning Commission Action. Once the Conceptual Development Plan and the preparatory documents are submitted and deemed adequate and acceptable by staff, the plan is then considered the proposed Project Master Plan and is scheduled for review by the Planning Commission. Following a Public Meeting, the Planning Commission may recommend approval of the plan as submitted, or recommended changes to the plan as conditions of their recommended approval.
- ii. City Council Action. After the Planning Commission takes action on the project, it is scheduled for review and approval by the City Council. The City Council may approve the plan as presented by the applicant, approve the plan as recommended by the Planning Commission, approve the plan with revised conditions, or remand the plan to the Planning Commission if it is found that there are additional details or other factors that need to be addressed that were not considered by the Planning Commission during their review of the plan.

- iii. Public Notice. Public Notice for the review and adoption of a Project Master Plan shall follow the same noticing and hearing requirements that are otherwise required by the State and the City for a rezoning of property, however, because the development of the property is a permitted use within the zone, the action of the Council is an administrative rather than legislative function.
- b. Required Findings. In connection with the approval of a development within the MPD zone, the City Council shall make the following findings:
 - i. The associated Project Master Plan is in conformance with the Cedar City General Plan and the intent and provisions of the MPD zoning district.
 - ii. The development layout in the Project Master Plan reflects and includes:
 - 1) Development areas, open space areas, uses and densities appropriate for the area, as defined by the Cedar City General Plan.
 - 2) Transportation and circulation elements that are sufficient to serve the requirements of the project, and that provide desirable connections to other city systems.
 - 3) Features and provisions designed to preserve and protect environmentally sensitive open space, ridgelines, steep slopes, wetlands and other natural features from the intrusion of development activity.
 - 4) Amenities and features provided that add to the quality of the area and the city as a whole.
 - 5) Uses that will compliment surrounding uses or that will have sufficient buffers to assure adequate protection of such existing uses.
 - iii. The proposed project, as described and conditioned through the Project Master Plan, will not, under the circumstances of the particular project, or the conditions imposed, be detrimental to the health, safety and welfare of persons and/or injurious to property or improvements in the greater Cedar City community.

- c. Concurrent Document Recording. Approval of a development within an MPD zone requires a concurrent recording of the following documents with the County Recorder as a binding restriction on the property:
 - i. Project Master Plan. The objective of the Project Master Plan is to establish the basic use density, and configuration of a project through a map and an associated Project Design document, with the document describing more closely the intent and anticipated development details of the areas or pods that are illustrated on the project map (see subsection “F” Project Master Plan, below)
 - d. Designation. For PCD and PND projects, the area included within an approved Master Development Plan shall be indicated by outline and designated on the zoning map by an extended name of the particular development project (i.e. “Cedar Ranch PCD”).
- 3. Stage Two Documents. Unless otherwise specified in the Development Agreement, the following documents are to be provided following the rezoning of the project, but prior to the development approval of any portion of the project. Allowances may be made by the Planning Commission for the consideration and approval of preliminary development plans when it can be shown that such approval is not affected by any outstanding documentation.
 - a. Design and Development Standards. These standards are a detailed extension of the Project Design Document adopted as part of the Project Master Plan. The standards are to establish more particularly the common design elements, including streetscape design, signage, and general building materials and styles, to be used throughout the development, as well as for areas within the project. The specific items would be addressed within the Design and Development Standards are listed below (Subsection F-1-b).
 - b. Final Water Needs Study. This study will provide a final evaluation of water needs both in terms of culinary and secondary systems. Additionally, it may also present water re-use and other water conservation strategies.
 - c. Final Transportation Plan. This plan will include the final engineering plans for the major road systems within the project, as well as final traffic study that evaluates the overall transportation network of the project.

- d. Open Space Management Plan. This plan will address the provisions, improvement, and maintenance of all proposed open space areas and associated structures. Included in the plan will be general references to the open space areas and any common or public amenities that might be included within specific pods.
 - e. Other Documents. Other documents addressing items peculiar to an individual site as may be required by the City.
4. Final Development Review and Approval. Unless otherwise called out in the Development Agreement, the review and approval process for any individual development pod, or any number of development pods processed together, shall follow the standard process for subdivision or project approval as found in the Cedar City Zoning Ordinance. Where the proposed development differs substantially from the parameters of the Project Master Plan, an amendment to the plan must first be processed (see Subsection F-2 below).

26-III-6-F. Project Master Plan.

- 1. Elements of the Plan. The Project Master Plan is to include both a map and a document to be adopted concurrently with the approval of a PCD or PND development. The Project Master Plan is used to govern the basic use, density, and configuration of the development areas to be included within the specific project. At a minimum, the Project Master Plan shall include the following:
 - a. The Project Master Plan Map(s). A land use map drawn to a scale that is sufficient and effective in providing enough detail of the proposed development, and that indicates the following:
 - i. Outlined development areas or pods, indicating the principal land use, the general area, and the intensity or density of the development proposed for those sites. A land use table must also be included that summarizes these items, especially in terms of the proposed residential and open space areas
 - ii. Major public and/or private streets, including those indicated by the City's Transportation Master Plan, that are within and/or adjacent to the project;
 - iii. Existing and proposed water ways and water features including streams, waterways, canals, ditches and major storm water drainage ways and how they connect with outside project areas that serve the rest of the city;

- iv. Existing and proposed corridors and easements for major utility lines, and the anticipated location of any major public utility required to serve the residents and property owners within the planned area, as well as areas of the City outside of the project area;
 - v. Other natural or man-made features on the property or on any neighboring properties that might affect the development of the site.
 - vi. In steeper terrain areas, the City may require a Preliminary Grading Plan for the entire project, showing general cut and fill areas. Further detailed engineering plans that show existing and proposed contours may be required by the City Engineer for extensive cut and fill areas, or where steep slopes may affect road grades and/or limit the buildable area of a site.
 - b. The Project Design Documents. A written document describing more closely the intent and anticipated development details or the areas or pods that are included on the Project Master Plan map. As an element of the Project Master Plan, the Project Master Plan Design Document is to serve as the basis for the final Design and Development Standards and Guidelines for the project, as described under Subsection G, below. However, at the developer's option, the final Design and Development Standards and Guidelines may instead be presented as the required Project Design Document for the Project Master Plan. The Project Design Document should include the following details:
 - i. A description of specific elements of the proposed project, including descriptions of the proposed land uses, specific public facilities to be provided, open space elements, required improvements, alternative development options, and any limitations to development due to environmental constraints, slope conditions, or other factors.
 - ii. Any agreements, approvals or other matters anticipated as necessary to develop the planned area.
- 2. Amendments to the Project Master Plan. Upon application and payment of the appropriate fee, an amendment to the Project Master Plan may be considered through a procedure that is determined by the extent of the proposed amendment(s). The following classifications shall be used to determine the

proper amendment procedure:

a. Administrative Changes.

- i. An administrative Change may be approved when the proposed modification is determined by the community Development Director, with consultation of appropriate City departments, to comply with the spirit and intent of the original Project Master Plan, but that the proposed modification is not extensive enough to qualify as a Minor Amendment.
- ii. Besides the application form and description of the proposed amendment, the community Development Director shall determine what additional information may need to be submitted before any action is taken on the request.
- iii. All approved Administrative Changes shall be attached as an addendum to the Project Master Plan.
- iv. Requests for Administrative Changes that are not approved, may be submitted for consideration as a Minor Amendment.

b. Minor Amendment.

- i. A Minor Amendment may be considered when the proposed modification is deemed to comply with the spirit and intent of the approval of the Project Master Plan and the general purpose of the General Plan for the development of the area, but is too extensive to be considered as an Administrative Change, while not so extensive as to be considered a Major Amendment. The following are criterion that would qualify for consideration as a minor amendment.

1) Rearrangement of pod areas in terms of use that are within 400 feet of an existing or approved development and where the use is considered no more intensive in impact than the original use. (Areas greater than 400 feet in distance, with no change in impact, may be considered as an Administrative Change).

2) An increase or reduction in residential density of greater than 5 percent within any pod area, but which is no more than 10 percent of the originally designated density. (Areas having a 5 percent change or less in residential density may be considered as an

Administrative Change).

3) Large scale modifications to major roadway locations that are internal to the development and do not adversely affect a street connection to an adjoining residential development. Large modifications would be considered to include moving any portion of the street more than 400 feet from its original location where it might adversely impact an existing or approved development. (Movement of less than 400 feet may be considered as an Administrative change).

4) Large scale modification to project open space areas or to amenities within those areas, or to public areas or amenities within the project, but where the modification(s) is not deemed to substantially alter the intent or understanding of the approval of those areas or amenities as presented with the Project Master Plan. (Smaller variations to the general arrangement and layout of these sites may be considered as an Administrative Change).

5) Modification to any Phasing Plan, except where the modification would result in conflicts with the development agreement. In such case, a modification of the development agreement must occur in conjunction with the modification to the Phasing Plan.

- ii. Proposed Minor Amendments shall be posted on the City's web site and the City's bulletin board for a period of 10 days prior to the Planning Commission's action at a public meeting.
- iii. After receiving a recommendation from the Planning Commission, and following a public meeting, the City Council may approve the amendment, approve the amendment with modifications, deny the amendment, or make a determination that the proposed amendment is significant enough to be considered as a Major Amendment, in which case the process for a Major Amendment must be followed.
- iv. All approved Minor Amendments shall be attached as an addendum to the Project Master Plan.
- v. Where the city Council determines the proposed amendment exceeds the allowance for a minor amendment, the request may be remanded to the Planning Commission upon the application meeting the requirements for the hearing of a major amendment.

c. Major Amendment.

- i. A Major Amendment is any change in the approved Project Master Plan deemed to modify the Project Master Plan that to such an extent that it exceeds an allowable consideration as a Minor Amendment. Generally, such changes include, but are not limited to the following:
 - 1) Increases in the intensity of a use allowed within a pod area that is within 400 feet of an existing or approved development, where the increased impact of the use is considered have a probable affect on the adjoining properties.
 - 2) Modification to the residential density of a pod area that is greater than 10 percent of the original density.
 - 3) An increase of more than 5 percent in all overall approved density of the project, so long as the resulting density does not exceed the maximum density allowance granted by the development agreement.
 - 4) The inclusion of uses that were not included within the Project Master Plan, or that cannot otherwise be considered under Subsection B “Use Regulations.”
 - 5) Deletion of any major public amenity or extensive modification to the provisions for the reservation and dedication of land as described in the Project Master Plan.
- ii. Major Amendments require the same noticing and hearing procedure as a rezoning, except that the distance for mailed notices shall be measured from the parameter of the area where the proposed modification is occurring, not necessarily the outside borders of the project. Where such parameter is vague or cannot otherwise be determined, the Community Development director shall make a determination as to the area to be noticed.

26-III-6-G. Design and Development Standards.

The Design and Development Standards are to be a detailed extension of the design considerations proposed through the Project Master Plan, and are to establish more particularly the common design elements, including streetscape design, signage, and general building

materials and styles, to be used throughout the development. The development standards listed below shall apply to the development as a whole. In addition, specific development standards as listed within each sub-district, as well as the Project Design and Development Standards, as adopted by the City for the specific development project shall be followed.

- 1 Streetscape Plan. A plan showing typical improvements proposed for each arterial and/or collector street within the project, and the first 500 feet of those streets that extend outside of the project area. The purpose in showing adjoining areas is not to obligate the developer to off-site improvements, but rather to facilitate the transition from neighboring areas and to set standards for future streetscape improvements to those neighboring areas.
- 2 Landscape Plan. A plan indicating general landscaping and planting methods to be used throughout the project, with more detailed plans approved with the final approvals of specific development areas.
- 3 Screening and Buffering Plan. A plan showing the methods and details to be employed in buffering areas adjacent to the project, as well as properties within the development where the uses cannot otherwise be adequately transitioned.
- 4 Pedestrian and Bicycle Corridor Plan. A prominent feature of a sustainable community is the development of pedestrian and bicycle corridors as an alternative form of transportation. Pedestrian and Bicycle corridors shall not be interpreted to include service driveways, roadways, dumpster areas, parking, or other uses related to commercial building areas.

26-III-6-H. Project Amenities and Bonus Densities.

1. Bonus Density for a project can be realized through the inclusion of a number of substantial project amenities, with the rational that the included amenities sufficiently mitigate the impact of the increased density by creating a more sustainable community and resulting in minimal adverse impact on other areas of the city. Such amenities may either be included within the project or in appropriate areas designated through the development agreement. Items that might be considered as substantial amenities include, but are not limited to the following:
 - a. Inclusion of land within areas qualifying as Intensive use Nodes. Intensive Use Nodes are areas of land within 1000 feet of the intersection of major streets that would lend themselves to larger scale commercial and residential development. Where such nodes are part of the development, the base density is adjusted by allowing a higher density for those areas, but excluding the area

from the calculations for the remainder of the project.

- b. Adoption of quality materials standards, including requirements for extensive use of durable materials such as brick or stone, and paintable siding materials.
- c. A directed program that, in essence, creates a “town architect” for the project, who would be responsible for the review and enforcement of the adopted Design and Development Standards.
- d. A substantial provision for attainable housing blended into the development.
- e. Dedication of Open space areas of at least 3 percent of the project, for each unit per acre of density within the project. However, Planned Unit Development must meet the minimum open space requirement of that provision in the Ordinance.
- f. Substantial improvements to park areas with considerations for public rather than private use.
- g. Water conservation methods that would address the proposed increase in density.
- h. Construction of Public and Quasi-Public structures including Community Centers, Recreational Facilities, a Fire Station, a Library, or similar features.
- i. Creation of means to reduce the general city costs for the operation and maintenance of public areas and facilities. These means may include construction and technology methods, as well as financial methods such as special improvement districts.
- j. Off-site improvements that not only address the direct impacts of the project, but may also serve to benefit the larger community and/or the city as a whole.

26-III-6-I. Allowable Design Modifications to Design Standards.

The City Council may consider, upon the recommendation of the Planning Commission, alternative design standards that what would otherwise be required by this Ordinance for the following items:

- 1. Building Setbacks. Alternative building setbacks may be allowed with the

following considerations:

- a. The proposed setbacks have a reasonable purpose and intent.
 - b. The proposed setbacks do not impair the location of necessary public utilities.
 - c. A certified survey plat showing accurate measurements between property lines and building location(s) is submitted with each building permit application.
2. Street cross-sections. Alternative street designs and cross-sections may be allowed by the City council upon the following considerations:
- a. The alternative designs and cross-sections follow the City's adopted standards for street design in the MPD Zone.
 - b. A recommendation regarding the proposed alternative street designs and cross-sections has been received from the Planning Commission.
 - c. Input and recommendations are received from the City staff, and any other affected public or quasi-public agency deemed necessary to adequately evaluate the affect of the proposed street design on the ability for service vehicles to access the affected area.

26-III-6-J. Expiration of Approvals.

Unless a longer period or different duration is otherwise provided in the Development Agreement, a project approved within the MPD zone may be rescinded by the City Council after a period of seven years of development inactivity on the project following the approval of the project. Such rescinding may only take place after notice to the developer, and a public meeting with a vote of the City Council. Notice shall be sufficient if mailed via first class mail to the developer's last known address. During the public meeting the developer shall have a reasonable opportunity to address the City Council.

SECTION 26-III-7. Development Agreements.

Section 26-III-7-A Intent

It is the intent of this Section to authorize the City to use, consistent with Utah Law, development agreements; to establish a method of approval for development agreements; to establish the minimum scope of subjects to be covered by development agreements; and to allow for the amending and recording of development agreements.

Section 26-III-7-B General Requirements

At the full discretion of the Cedar City Council, the City may enter into a development agreement with one (1) or more owners or developers of property. The development agreement shall constitute a binding contract between Cedar City and all other parties containing all agreed upon terms and conditions. City staff is authorized to negotiate the terms of the development agreement with the applicant, but in no case shall a development agreement be binding on Cedar City unless it is approved by the Cedar City Council.

Section 26-III-7-C Minimum Scope of Development Agreements

(A) At a minimum the Development Agreement shall address the following issues:

- (1) there is sufficient land area to support the proposed development;
- (2) the agreement is consistent with this Article of the Cedar City Zoning Ordinance;
- (3) the proposed development agreement advances policies, implements goals, or achieves other desired results of Cedar City;
- (4) the proposed development conforms with applicable Cedar City general plan, zoning ordinance, subdivision ordinance, engineering standards, and all other applicable ordinance;
- (5) the proposed development advances the Cedar City general plan;
- (6) the terms of the agreement provide amenities and features which add to the quality of the area in which the development is proposed, or the property owner agrees to contribute facilities and improvements which exceed the requirements of the City and which advance the provision of desired facilities and improvements within the City.

(B) At a minimum, a development agreement shall contain the following items:

- (1) a legal description of the land covered by the agreement;
- (2) the names of all persons and parties having a legal or equitable ownership interest in the land covered by the agreement;
- (3) the duration of the agreement;
- (4) the uses permitted, including the approval procedures and development requirements and regulations, including lot sizes, maximum densities,

building heights, setbacks, landscaping, parking requirements, and requirements in addition to requirements in place;

- (5) a description of the public facilities, amenities and services to be provided, and the date for their provision, and any requirements to ensure the provisions of such facilities, amenities and services;
- (6) a statement indicating the required monitoring of the agreement and the actions available to the parties thereto to ensure compliance;
- (7) a statement that the rights and obligations of the agreement shall be binding upon all successors in interest; and
- (8) a method of making written amendments that is consistent with this article of the zoning ordinance.

Section 26-III-7-D Adoption and Amendment of Development Agreements

(A) All development agreements shall go before the Cedar City planning commission for their review and recommendation. After receiving a recommendation from the Cedar City Planning Commission, all development agreements shall go before the Cedar City Council in a public meeting for adoption, amendment, or rejection.

(B) An approved development agreement may be amended with the mutual consent of the parties. All proposed amendments shall be in writing and shall follow the same procedure that is required to adopt a development agreement.

Section 26-III-7-E Monitoring and Enforcement

The Cedar City Community Development Director shall review the terms and conditions of all development agreements annually to assure compliance. Prior to Cedar City taking any enforcement allowed by the agreement, and state and federal law, the City shall send notice to all parties to the agreement giving notice of the substance of the noncompliance and the time, date, and location of a public meeting where the matter shall be discussed.

Section 26-III-7-F Recording

No later than twenty one (21) days after the adoption of the development agreement, the Community Development Director shall cause the entire agreement to be recorded with the Iron County Recorder. All costs of shall be paid by the applicant.

Section 26-III-7-G Third Party Rights

Except as expressly provided in the development agreement, a development agreement shall not create rights enforceable by any individual or party not a party to the development agreement.

SECTION 26-III- 8. GC General Commercial Zone.

(A) Objectives and Characteristics: This zone has been established as a district in which the primary use of land is for general commercial and residential uses. The objective in establishing the zone is to allow a wide choice of site locations, to provide a place where dwellings can be located close to shops, stores, and industrial enterprises, and to prevent the intermittent scattering of commercial and industrial uses into surrounding residential zones. This zone is characterized by a mixture of dwellings, businesses, warehouses, craft shops, and manufacturing and industrial enterprises incidental to retail establishments. Since the zone permits such a wide variety of uses, owners and developers of property should bear in mind that many of the protective features which zoning normally affords are largely non-existent and should develop and maintain their property in recognition thereof. Representative uses in this zone are retail establishments, warehouses, plumbing, carpenter, and other craft shops, dwellings and incidental manufacturing fabrication and processing. In order to accomplish the objective of this zone, the following regulations shall apply in the GC General Commercial Zone:

(B) Permitted Uses: See Section 26-III-14.

(C) Lot Area Requirements: There shall be no minimum lot area requirements for commercial lots used for a commercial use permitted in the zone except for gas pumps and off-street parking area requirements. For buildings arranged, intended, or designed exclusively for residential use, the minimum lot area requirements shall be the same as for dwellings in the R-2 zone, except that no lot area requirements shall apply when the dwellings are located above the ground floor and said ground floor is devoted exclusively to a commercial use permitted in the zone.

(D) Lot Width Requirements: There shall be no minimum lot width requirements for commercial lots used for a commercial use permitted in the zone except for gas pumps and off-street parking area requirements. For buildings arranged, intended, or designed exclusively for residential use, the minimum lot width requirements shall be the same as for dwellings in the R-2 zone, except that no lot width requirements shall apply when the dwellings are located above the ground floor and said ground floor is devoted exclusively to a commercial use permitted in the zone.

(E) Building Setback Requirements:

(1) Side Setback: Any commercial building adjacent to a street right-of-way shall be set back 20 feet therefrom. No other side setback shall be required for commercial buildings having fire resistive walls in compliance with the Building Code, except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property.

(2) Front Setback: The front setback shall be twenty (20) feet from the front lot line for commercial buildings.

(3) Rear Setback: No rear setback shall be required for commercial buildings having fire resistant walls in compliance with the building code except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property.

(4) Non Fire Resistant Building Setbacks: For non-fire resistant buildings, regulations as contained in said Building Code shall apply, except all buildings and structures, including but not limited to gasoline pumps, shall be set back at least twenty (20) feet from the street right-of-way line.

(5) Residential Use Building Setbacks: For buildings arranged, intended, or designed exclusively for residential use, the setback requirements shall be the same as for dwellings in the R-2 zone.

(F) Building Height Requirements: The maximum height of any building with a commercial use shall be fifty (50) feet except buildings arranged, intended, or designed exclusively for residential use, the maximum height requirement shall be the same as for dwellings in the R-2 zone.

(G) Building Size Requirements: No requirements.

(H) Special Provisions:

(1) All storage except vehicles in running order shall be enclosed within a building or within a masonry wall or sight obscuring fence of at least six (6) feet in height except for temporary sales lasting 90 days or less.

(2) Lots shall be kept free from refuse and debris.

(3) Landscaping - See Article VII, Landscaping

(I) Supplementary Regulations: See Article IV, Supplementary Regulations to all zones.

(J) Special Provisions:

(1) Residential type uses that are permitted within this zone (i.e. “Apartments,” “Dwelling Units,” “Nursing Homes,” “Residential,” “Residential facility for

persons with a disability,” and “Rest Homes”) are only permitted in the following situations:

- A. In conjunction with a commercial development where the residential use is located above the ground floor and, except for access to the residential units, said ground floor is devoted exclusively to a commercial use permitted in the zone, and/or;
- B. In conjunction with a unified mixed use project where any exclusively residential portion of the project (that part of the project that does not contain a commercial use or associated parking) comprises no more than fifty (50) percent of the overall development site.

SECTION 26-III-9. CC Central Commercial Zone.

(A) Objective and Characteristics: The CC Central Commercial Zone has been established as a district in which the primary use of the land is for business purposes. The area covered by this zone is now and is intended that it shall continue to be the dominant shopping and financial center of the City and surrounding territory. For this reason the zone has been located where the street pattern makes the business buildings readily accessible to all parts of the City and surrounding region where business and shopping activities can be carried on with maximum convenience. The CC Zone is characterized by wide, clean, well-lighted streets, ample pedestrian ways and vehicular parking lots for the convenience and safety of the public. Attractive, inviting and well-maintained shops, stores, offices and other buildings are also characteristic of this zone. Representative of the uses in this zone are banks, hotels, office buildings, theaters, and a wide variety of retail outlets. Conversely, uses which tend to create business dead spots, cause undue scattering of business and generally tend to thwart the use of the land for its primary purpose have been excluded from this zone. In order to accomplish the objectives and purposes of this ordinance and to promote the characteristics of this zone, the following regulation shall apply in the CC Zone, Central Commercial Zone:

(B) Use Regulations: See Section 26-III-14.

(C) Lot Area Requirements: There shall be no minimum lot area requirements for commercial lots used for a commercial use permitted in the zone except for gas pumps and off-street parking area requirements. For buildings arranged, intended, or designed exclusively for residential use, the minimum lot area requirements shall be the same as for dwellings in the R-3 zone, except that no lot area requirements shall apply when the dwellings are located above the ground floor and said ground floor is devoted exclusively to a commercial use permitted in the zone.

(D) Lot Width Requirements: There shall be no minimum lot width requirements for commercial lots used for a commercial use permitted in the zone except for gas pumps and off-street parking area requirements. For buildings arranged, intended, or designed exclusively for residential use, the minimum lot width requirements shall be the same as for dwellings in the R-3 zone, except that no lot width requirements shall apply when the dwellings are located above the ground floor and said ground floor is devoted exclusively to a commercial use permitted in the zone

(E) Building Setback Requirements:

(1) Side Setback: Any commercial building adjacent to a street right-of-way shall be set back 20 feet therefrom. No other side setback shall be required for buildings having fire resistive walls in compliance with the Building Code except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property.

(2) Front Setback: The front setback shall be twenty (20) feet from the front lot line.

(3) Rear Setback: No rear setback shall be required for commercial buildings having fire resistant walls in compliance with the building code, except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property.

(4) Non Fire Resistant Building Setbacks: For non-fire resistant buildings, regulations as contained in the Building Code shall apply, except all buildings and structures, including but not limited to gasoline pumps, shall be set back at least twenty (20) feet from the street right-of-way line.

(5) Residential Use Building Setbacks: For buildings arranged, intended, or designed exclusively for residential use, the setback requirements shall be the same as for dwellings in the R-3 zone.

(F) Building Height Requirements: The maximum height of any building with a commercial use shall be fifty (50) feet except buildings arranged, intended, or designed

exclusively for residential use, the maximum height requirement shall be the same as for dwellings in the R-3 zone.

(G) Building Size Requirements: No requirements.

(H) Special Provisions:

(1) All off-street parking space shall be hard surfaced.

(2) All merchandise, equipment, and other materials (except for vehicles in running order) shall be stored within an enclosed building or within a sight obscuring enclosure.

(3) No dust, odor, smoke, vibrations, or intermittent light, glare, or noise shall be emitted which is discernible beyond the premises.

(4) Landscaping - See Article VII, Landscaping

(I) Supplementary Regulations: See Article IV, Supplementary Regulations to all zones.

(J) Special Provisions:

(1) Residential type uses that are permitted within this zone (i.e. "Apartments," "Dwelling Units," "Nursing Homes," "Residential," "Residential facility for persons with a disability," and "Rest Homes") are only permitted in the following situations:

A. In conjunction with a commercial development where the residential use is located above the ground floor and, except for access to the residential units, said ground floor is devoted exclusively to a commercial use permitted in the zone, and/or;

B. In conjunction with a unified mixed use project where any exclusively residential portion of the project (that part of the project that does not contain a commercial use or associated parking) comprises no more than fifty (50) percent of the overall development site.

SECTION 26-III-10. DC Downtown Commercial Zone.

(A) Objective and Characteristics: The DC Downtown Commercial Zone is established as a district in which the primary use of the land is for retail/business purposes. The area covered by this zone is intended to be the central retail, service and

professional center of the City. For this reason the zone has been located in the center part of the City where the street pattern makes the business buildings readily accessible to all parts of the community and the surrounding region. The area is intended to provide for a variety of community activities. The DC Zone is characterized by wide, clean, well-lighted streets, ample pedestrian ways and vehicular parking lots for the convenience and safety of the public. Attractive, inviting and well-maintained shops, stores, offices, theater and cultural buildings, as well as multifamily residential dwellings are also characteristic of this zone. Representative of the uses in this zone are specialty retail, lodging, condo/apartment housing (not at ground level), professional offices, theaters, restaurants and a wide variety of retail outlets.

(B) Permitted Uses: See Section 26-III-14.

(C) Lot Area Requirements: There shall be no minimum lot area requirements for commercial lots used for a commercial use permitted in the zone except for gas pumps and off-street parking area requirements. For buildings arranged, intended, or designed exclusively for residential use, the minimum lot area requirements shall be the same as for dwellings in the R-3 zone, except that no lot area requirements shall apply when the dwellings are located above the ground floor and said ground floor is devoted exclusively to a commercial use permitted in the zone.

(D) Lot Width Requirements: There shall be no minimum lot width requirements for commercial lots used for a commercial use permitted in the zone except for gas pumps and off-street parking area requirements. For buildings arranged, intended, or designed exclusively for residential use, the minimum lot width requirements shall be the same as for dwellings in the R-3 zone, except that no lot width requirements shall apply when the dwellings are located above the ground floor and said ground floor is devoted exclusively to a commercial use permitted in the zone

(E) Building Setback Requirements: Shall be the same as the R-3 Residential Zone.

(1) Side Setback: No side setback shall be required for commercial buildings having fire resistive walls in compliance with the Building Code except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line off the adjacent residential lot.

(2) Front Setback: No front setback shall be required for commercial buildings in this zone.

(3) Rear Setback: No rear setback shall be required for commercial buildings having fire resistant walls in compliance with the building code.

(4) Non Fire Resistant Building Setbacks: For non-fire resistant buildings, regulations as contained in said Building Code shall apply.

(5) Residential Use Building Setbacks: For buildings arranged, intended, or designed exclusively for residential use, the setback requirements shall be the same as for dwellings in the R-3 zone.

(F) Building Height Requirements: The maximum height of any building with a commercial use shall be fifty (50) feet except buildings arranged, intended, or designed exclusively for residential use, the maximum height requirement shall be the same as for dwellings in the R-3 zone.

(G) Building Size Requirements: No requirements.

(H) Special Provisions

_____:

(1) All off-street parking space shall be hard surfaced.

(2) All merchandise, equipment, and other materials (except for vehicles in running order) shall be stored within an enclosed building or within a sight obscuring enclosure.

(3) No dust, odor, smoke, vibrations, or intermittent light, glare, or noise shall be emitted which is discernible beyond the premises.

(4) Landscaping - See Article VII, Landscaping

(I) Supplementary Regulations: See Article IV, Supplementary Regulations to all zones.

SECTION 26-III-11. HS Highway Service Zone.

(A) Objectives and Characteristics: The HS zone has been established as districts in which the primary use of the land is for establishments which serve the traveling public. The Highway Service Zone has been situated in appropriate locations adjacent to major highways. The objectives in establishing the HS zone is to:

(1) promote safety on the highways;

(2) protect the interest of the public in maintaining unobstructed use of the highway right-of-way;

(3) promote the beauty and appearances of the landscape;

(4) promote the convenience of the traveling public;

(5) encourage establishments to locate in the zone which will provide essential services to the traveling public; and

(6) discourage any use which, because of its character or nature, would thwart the use of the land for its primary purpose. The highway service zone is characterized by attractive highway commercial and service buildings situated in restful landscaped settings surrounded by landscaping of well-maintained trees, shrubs, and other plantings, and open off-street parking areas. Representative of the uses in the highway service zone are motels, cafes, and travel trailer courts. In order to accomplish the objectives and purposes in the ordinance and to stabilize and protect the central characteristics of the highway service zone, the following regulations shall apply in the HS zone.

(B) Permitted Uses: See Section 26-III-14.

(C) Lot Area Requirements: No Requirements.

(D) Lot Width Requirements: No Requirements.

(E) Building Setback Requirements:

(1) Side Setback: Any building adjacent to a street right-of-way shall be set back 20 feet therefrom. No other side setback shall be required for buildings having fire resistive walls in compliance with the Building Code, except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property.

(2) Front Setback: The front setback shall be twenty (20) feet from the front lot line.

(3) Rear Setback: No rear setback shall be required for buildings having fire resistant walls in compliance with the building code, except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property.

(4) Non Fire Resistant Building Setbacks: For non-fire resistant buildings, regulations as contained in said Building Code shall apply, except all buildings

and structures, including but not limited to gasoline pumps, shall be set back at least twenty (20) feet from the street right-of-way line.

(F) Building Height Requirements: The maximum height of any building shall be fifty (50) feet.

(G) Building Size Requirements: No requirements except as specified in Section 26-III-14.

(H) Special Provisions:

(1) Setback Space: Space resulting from setback requirements may be used for exit and entrance driveways, and shall not be used for off-street parking, automobile repair, or any other activities in which vehicles are left unattended for more than twenty four (24) hours. Ten (10) feet of said setbacks fronting on any roadway shall be landscaped with lawn, shrubs, and other landscape features, except for permitted exit and entrance driveways.

(2) Landscaping: See Article VII, Landscaping

(3) Storage: All storage (including debris and waste materials) except vehicles in running order, shall be enclosed within a building or within a site obscuring fence or masonry wall at least six (6) feet in height.

(4) Maintenance of Premises: The entire lot shall be kept free from refuse, debris and waste materials and all such refuse, debris and waste material shall be kept in storage areas in approved containers.

(I) Supplementary Regulations: See Article IV, Supplementary Regulations to all zones.

(J) Special Provisions:

(1) Residential type uses that are permitted within this zone (i.e. “Apartments,” “Dwelling Units,” “Nursing Homes,” “Residential,” “Residential facility for

persons with a disability,” and “Rest Homes”) are only permitted in the following situations:

- A. In conjunction with a commercial development where the residential use is located above the ground floor and, except for access to the residential units, said ground floor is devoted exclusively to a commercial use permitted in the zone, and/or

- B. In conjunction with a unified mixed-use project where any exclusively residential portion of the project (that part of the project that does not contain a commercial use or associated parking) comprises no more than fifty (50) percent of the overall development site.

SECTION 26-III-12. NC Neighborhood Commercial Zone

(A) Objectives and Characteristics: The objective in establishing a Neighborhood Commercial Zone is to provide for shopping facilities within the various neighborhoods of the City, primarily for the convenience of people living in the neighborhood. The types of goods and services which may be offered for sale have been limited to “convenience goods” such as groceries, personal services such as hair care and convenience stores distinguished by the fact that the principal patronage of the establishments originates within the surrounding neighborhood. Consequently, automobile, furniture, appliance and other stores, the principal patronage of which originates outside the surrounding neighborhood, have been excluded from this zone. The area for an NC zone shall be no less than 1 acre and not exceed 3 acres. In general, the NC zone will be located ½ mile from another zone in which daily commercial needs of a neighborhood or residential area will be served. An NC zone will only be approved with new developed areas. Since an NC zone is usually surrounded by dwellings, it is intended that residential amenities be maintained to the extent possible. Stores, shops or businesses shall be retail establishments only and shall be permitted only under the following conditions:

- (1) Such businesses shall be conducted wholly within an enclosed building except for the parking of customer and employee automobiles and service to persons in automobiles, unless otherwise permitted.
- (2) No entertainment establishments shall be permitted in an NC zone.
- (3) All uses shall be free from objections because of odor, dust, smoke, noise vibration or other similar offensive nuisances to adjacent neighborhood areas.

(B) Permitted Uses: See section 26-III-14.

(C) Area Requirements: The minimum area for a NC zone shall be 1 acre and the maximum area shall be 3 acres.

(D) Lot Width Requirements: No requirements.

(E) Building Setback Requirements:

- (1) Side Setback: No side setback shall be required for buildings having fire

resistive walls in compliance with the Building Code of Cedar City, Utah, except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property and twenty (20) feet from the street right-of-way line.

(2) Front Setback: The front setback shall be twenty (20) feet from the front lot line.

(3) Rear Setback: No rear setback shall be required for buildings having fire resistant walls in compliance with the building code, except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property.

(4) Non Fire Resistant Building Setbacks: For non-fire resistant buildings, regulations as contained in said Building Code shall apply, except all buildings and structures, including but not limited to gasoline pumps, shall be set back at least twenty (20) feet from the street right-of-way line.

(F) Building Height Requirements: The maximum height of any building shall be twenty (20) feet.

(G) Building Size Requirements: See Section 26-III-14.

(H) Special Provisions:

(1) Setback Space: Space resulting from setback requirements may be used for off-street parking, in accordance with landscaping requirements.

(2) Landscaping: See Article VII, Landscaping

(3) Storage: All storage enclosed within a building.

(4) Maintenance of Premises: The entire lot shall be kept free from refuse, debris and waste materials, and all such refuse, debris and waste material shall be kept in storage areas in approved containers.

(5) Signage: Signs are intended to be seen by pedestrians and slow moving traffic. Signs are to be for identification and not advertising. Signs shall be limited to those being placed on buildings and shall not exceed the height of the building.

a. Guidelines

i. Maximum allowable sign area will be 1 sq. ft. per lineal foot of

frontage (measured at the front of building)

ii. Maximum allowable sign area shall be 75 sq. ft.

iii. Maximum allowable sign area for a single sign need not be less than 15 sq. ft. For a single business.

b. Prohibited

i. All billboards

ii. Internally-illuminated signs

iii. Flashing or moving signs of any kind

iv. Signs not attached to buildings

(I) Supplementary Regulations: See Article IV Supplementary Regulations to all zones.

SECTION 26-III-13. I&M-1 Industrial and Manufacturing Zone.

(A) Objectives and Characteristics: The I&M-1 Zone has been established as a district in which the primary use of the land is manufacturing, fabricating, processing and warehousing establishments. This zone is characterized by flat, open land particularly suited for industrial uses because of the proximity to railroad tracks and streets and the availability of utilities necessary for successful industrial use. Representative of the uses within this zone are manufacturing and fabrication and processing, storage warehousing, and wholesale distribution and railroad trackage switch yards and terminal facilities. Uses which give rise to excessive noise, vibration, smoke, odor, dust, fumes, or danger of explosion have been excluded from this zone. Also subdivisions and dwellings on small lots along with other uses which tend to thwart or prevent the use of the land for its primary purposes have been excluded from this zone. In order to accomplish the objectives and purposes of this ordinance and to encourage the most appropriate use of the land within these zones, the following regulations shall apply in the I&M-1 Industrial and Manufacturing Zone:

(B) Permitted Uses: See Section 26-III- 14.

(C) Lot Area Requirements: No requirements, except that an area sufficient to accommodate setback, off-street parking, loading and unloading, and vehicular access shall be provided and maintained.

(D) Lot Width Requirements: No requirements.

(E) Building Setback Requirements:

(1) Side Setback: Any building adjacent to a street right-of-way shall be set back 15 feet therefrom. No other side setback shall be required for buildings having fire resistive walls in compliance with the Building Code, except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property.

(2) Front Setback: The front setback shall be fifteen (15) feet from the front lot line.

(3) Rear Setback: No rear setback shall be required for buildings having fire resistant walls in compliance with the building code, except that all buildings adjacent to a lot zoned residential shall be set back at least twenty (20) feet from the lot line of the adjacent residential property.

(4) Non Fire Resistant Building Setbacks: For non-fire resistant buildings, regulations as contained in said Building Code shall apply, except all buildings and structures, including but not limited to gasoline pumps, shall be set back at least fifteen (15) feet from the street right-of-way line.

(F) Height Requirements: No requirements unless restricted by Section 26-126.

(G) Size of Buildings: No requirements.

(H) Special Provisions:

(1) All storage, except vehicles in running order, shall be enclosed within a building or within a site obscuring fence at least six (6) feet in height.

(2) Adequate sanitary facilities shall be provided subject to standards required by the Board of Health.

(I) Supplementary Regulations: See Article IV, Supplementary Regulations to all zones.

SECTION 26-III-14. I&M-2, Industrial and Manufacturing Zone.

(A) Objectives and Characteristics: The I&M-2 zone has been established to provide areas in the community where heavy industrial, manufacturing, and extractive uses may be located in an environment which protects them from the encroachment of commercial

and residential uses, and which reduces the effect of undesirable characteristics such as odor, dust, and noise upon surrounding residential, commercial or light industrial areas. The I&M-2 zone should be located in areas which are readily accessible to railroads and major highway routes. Said zone shall also be located in areas which will insure the purity of air and waters within Cedar City and will not create hazards to nearby residential, commercial or light industrial areas as the result of noise, dust, fumes, or other disturbances. The I&M-2 zone will be characterized by the location of open and enclosed manufacturing, processing, extractive, and assembly uses which may potentially create hazards, nuisances, or disturbances. These uses will be located in areas which reduce the effects of these characteristics upon other areas of the community, and in an environment which is attractive but which recognizes the characteristics of the permitted uses. Some peripheral landscaping will be provided, where appropriate, to reduce the effects of the detrimental characteristics of permitted uses, and to enhance the appearance of the entire I&M-2 zone.

(B) Permitted Uses: See Section 22-III-14.

(C) Lot Area Requirements: Same as I&M-1 requirements.

(D) Lot Width Requirements: Same as I&M-1 requirements.

(E) Building Setback Requirements: Same as I&M-1 requirements.

(F) Building Height Requirements: No requirements.

(G) Building Size Requirements: No requirements.

(H) Special Provisions: Same as I&M-1 requirements.

(I) Supplementary Regulations: See Article IV, Supplementary Regulations to all zones.

SECTION 26-III-15. AT - Annexed Transition Zone

(A) Objectives and Characteristics: The AT (Annexed Transition) zone is intended as a holding zone for newly annexed areas where the future land use is not determined at the time of annexation. It is further intended to retain and protect properties for future development which are undeveloped or underdeveloped and do not have adequate facilities developed, such as sanitary sewer, water, drainage, and streets. The zone allows for the continuation of legally established (pre-existing non-conforming) uses and the establishment of uses compatible with the General Plan designation and zone criteria. The zone is appropriate in areas designated in the City General Plan for future residential development (RPA-4, RPA-6), or to protect lands intended for future commercial,

industrial or public uses.

(B) Permitted Uses: The following uses shall be permitted in the R-E Residential Zone:

- (1) One-family dwellings and accessory buildings and structures; including guest houses (not to exceed 1200 square feet) and subject to the setback requirements of one-family dwellings, private garage and/or barn;
- (2) Keeping of animals and fowl, as an accessory use to a single family dwelling, limited to the following:
 - a. Two large animals per lot and one additional large animal for each 10,000 square feet over 1 acre. Large animals may include horses, cattle, goats, sheep or other animals judged by the Planning Commission to be compatible with this zone;
 - b. Not more than 20 poultry or rabbits shall be kept on any lot;
- (3) Planned Unit Developments approved per this ordinance;
- (4) Residential facility for persons with a disability, not to exceed four (4) residents (see Article XVI);
- (5) Public and private parks, playgrounds, green ways, trails, and open space;
- (6) Public and private golf courses; and
- (7) Public and private recreation centers.

Amended by ordinance number 0827-08-2

(C) Conditional Uses: In addition to the following, see section 26-XI-5.

- (1) Single-family dwellings on tracts of land which contain five acres or more. No more than one such dwelling shall be permitted on one lot regardless of the size of the lot; and
- (2) Equestrian establishments, provided that in no case shall permanent maintenance or stabling of horses, storage of feed, riding arenas, or storage or maintenance of equipment be permitted within three hundred feet of the boundary of any Residential zone.

Amended by ordinance number 0827-08-2

(D) Lot Area Requirements: Property in this zone shall remain the same size or lot area as it existed at the time of annexation. There is no minimum or maximum lot size for this zone. Pre-existing legally created lots of record that exist at the time of annexation will be recognized by the City for purposes of sale. Subdivision of property is not permitted in this zone. The property must first be re-zoned prior to further subdivision.

(E) Lot Width Requirements: Same as Lot Area Requirements above.

(F) Building Setback Requirements:

(1) Side Setbacks: Same as R-1 Residential Zone for dwellings and other main buildings.

(2) Front Setbacks: Same as in R-1 Residential Zone.

(3) Rear Setbacks: Same as in R-1 Residential Zone.

(G) Building Height Requirements: Same as in R-1 Residential Zone.

(H) Building Size Requirements: Same as in R-1 Residential Zone.

(I) Special Provisions: Same is in the R-1 Residential Zone.

(J) Supplemental Regulations: See Article IV, Supplementary Regulations to all Zones.

SECTION 26-III-16. Permitted and Conditional Uses.

The following list itemizes the various uses permitted in each type of commercial and industrial zone. Uses designated as "P" are permitted in that zone and those designated "N" are not allowed in the zone. Zones included here are: General Commercial (GC); Central Commercial (CC); Downtown Commercial (DC); Highway Service (HS); Neighborhood Commercial (NC); Industrial & Manufacturing-1 (I&M-1); and Industrial & Manufacturing-2 (I&M-2).

	<u>GC</u>	<u>CC</u>	<u>DC</u>	<u>HS</u>	<u>NC</u>	<u>I&M-1</u>	<u>I&M-2</u>
Agricultural products or supplies (except large machinery)	P	P	N	N	N	P	P
Air conditioning sales & service	P	P	N	N	N	P	N
Airports	N	N	N	N	N	P	N

Amusement enterprises (outdoor)	P	P	N	P	N	P	N
Amusement enterprises (indoor)	P	P	P	P	N	P	N
Animal hospitals	P	N	N	N	N	P	N
Animals, under 20 head	N	N	N	N	N	N	P
Antique, import or souvenir shops	P	P	P	P	N	P	N
Apartment houses	P	P	P	N	N	N	N
Apparel altering & repairing	P	P	P	N	P	N	N
Appliance and/or electronic instruments assembly	N	N	N	N	N	P	P
Appliance stores	P	P	P	P	N	P	N
Arts and crafts shops	P	P	P	N	P	N	N
Asphalt mixing plants	N	N	N	N	N	C	P
Assembly of appliances (from previously prepared parts)	P	P	N	N	N	P	N
Athletic & sporting goods store, (excluding sales & service of motor vehicles or motor boats)	P	P	P	P	N	P	N
Auction houses (except animals)	P	P	N	N	N	P	N
Auction houses (including animals)	P	N	N	N	N	P	N
Automobile parts sales (new parts only)	P	P	N	P	N	P	P
Automobile rental (<10,000 GVW) (See "Truck rental" for vehicles over 10,000 GVW)	P	P	N	P	N	P	N
Automobile repair & storage (including painting, body & fender, upholstery, brake & transmission provided it be conducted within enclosed bldg.)	P	P	N	N	N	P	P
Automobile sales (used and new)	P	P	P	P	N	P	N
Automobile service station	P	P	N	P	N	P	P
Automobile wrecking yards	N	N	N	N	N	N	P

Bakeries, on-site retail only	P	P	P	P	P	P	N
Bakeries, wholesale	P	N	N	N	N	P	N
Banks and other financial institutions	P	P	P	P	P	P	N
Barber shops, beauty parlors	P	P	P	N	P	P	N
Barns, stables, corrals	N	N	N	N	N	N	P
Bed and breakfast	P	P	P	P	N	N	N
Beer parlors (on site consumption)	P	P	N	P	N	N	N
Bicycle sales and repair shops	P	P	P	N	P	N	N
Boat sales and service (No manufacturing)	P	P	N	P	N	P	N
Boat storage	N	N	N	N	N	P	P
Book and stationary stores	P	P	P	N	P	N	N
Bowling alley	P	P	P	P	N	N	N
Breweries	N	N	N	N	N	N	P
Broadcasting studios	P	P	N	N	N	P	N
Building materials sales yards and storage bldgs.(Materials are customarily stored outside the main building on a year-around basis)	P	N	N	N	N	P	P
Building supply stores (Materials are stored primarily inside the main building, including permanently attached, covered and fenced enclosures, with some seasonal sales items temporarily kept outside)	P	P	N	N	N	N	N
Bus terminal	P	P	N	P	N	P	N
Cabinet and woodwork shop	P	N	N	N	N	P	P
Camera store	P	P	P	P	P	N	N
Candy store, confectionery	P	P	P	P	P	N	N

Caretaker's dwelling (provided that the dwelling is incidental to the use of the land)	N	N	N	N	N	P	P
Carwash	P	P	P	P	P	P	N
Catering service (food)	P	P	P	N	N	P	N
Church	P	P	P	P	P	P	P
Clinics, medical and dental	P	P	P	N	P	N	N
Clothing and accessory store	P	P	P	N	P	N	N
Clubs and fraternal societies	P	P	P	N	N	P	N
Coal yards	N	N	N	N	N	N	P
Cold storage plants	N	N	N	N	N	P	P
Concrete mixing and batching plants	N	N	N	N	N	C	P
Construction equipment rental (heavy equipment)	P	N	N	N	N	P	P
Convenience store, <2,400 sq ft, w/fuel islands	P	P	P	P	P	P	P
Correctional /intensive treatment facility	N	N	N	N	N	C	N
Craft & hobby store	P	P	P	P	P	N	N
Dance hall/studio	P	P	P	N	N	P	N
Day care center	P	P	N	N	P	P	N
Department/variety store	P	P	P	P	P	P	N
Drive-ins-fast food	P	P	P	P	N	P	P
Drug store	P	P	P	N	P	P	N
Dry cleaning and laundry	P	P	P	N	P	P	P
Dwelling units	P	P	P	N	N	N	N
Electrical, heating, air conditioning and plumbing sales & service	P	N	N	N	N	P	P
Electrical sign shop	P	N	N	N	N	P	P

Electronic equip, sales & service (≤2400 sf)	P	P	N	P	N	P	P
Electronic equip, sales & service (>2400 sf)	P	P	N	N	N	P	P
Employment agency	P	P	P	N	N	P	N
Engraving, printing	P	P	P	N	N	P	N
Farm buildings, fowl	N	N	N	N	N	N	P
Farm equipment sales, rental & service	P	N	N	N	N	P	P
Feed processing	N	N	N	N	N	P	P
Feed processing, cereal and flour mill	N	N	N	N	N	P	P
Fertilizer and soil conditioner manufacturing, processing and sales	N	N	N	N	N	N	P
Fire/police/sheriff stations	P	P	P	P	N	P	P
Fix-it shops (small appliance/equipment repair)	P	P	P	N	N	P	N
Floral shop	P	P	P	P	P	P	N
Food processing wholesale (with no noise or odor nuisance)	N	N	N	N	N	P	P
Food processing wholesale (with noise or odor nuisance)	N	N	N	N	N	N	P
Fuel, gas and oil storage (when approved by the fire chief)	N	N	N	N	N	P	P
Fur farms	N	N	N	N	N	N	P
Furniture stores, retail	P	P	P	N	N	P	N
Garden supply & plant material sales	P	P	P	N	N	P	N
Gift shops	P	P	P	P	P	P	N
Grain storage elevators (over 5000 bu.)	N	N	N	N	N	N	P
Grain storage elevators (under 5000 bu.)	N	N	N	N	N	P	P
Gravel and sand pits	N	N	N	N	N	C	P

Grocery stores, less than 2400 sq. ft.	P	P	P	P	P	P	N
Grocery stores, more than 2400 sq. ft.	P	P	P	N	N	P	N
Hardware stores	P	P	P	N	N	P	N
Health clubs	P	P	P	N	N	P	N
Health food store	P	P	P	P	P	P	N
Heliport	C	C	N	N	N	P	C
Home furnishings	P	P	P	N	N	P	N
Hometel	P	P	P	N	N	P	N
Hospital	P	P	N	N	N	N	N
Hotel & motel	P	P	P	P	N	N	N
House wrecking yards	N	N	N	N	N	N	P
Ice manufacturing and storage (wholesale)	N	N	N	N	N	P	P
Ice cream parlor	P	P	P	P	P	P	N
Ice cream parlor	P	P	P	P	P	P	N
Interior decorating & design (retail)	P	P	P	N	N	P	N
Janitor service & supply	P	P	P	N	N	P	N
Jewelry stores sales & service	P	P	P	P	N	N	N
Junk yards and scrap storage (when property is fenced with at least six foot (6') site obscuring fence	N	N	N	N	N	N	P
Karate studio	P	P	P	N	N	P	N
Kennels	P	N	N	N	N	P	P
Knitting mills	N	N	N	N	N	P	P
Laboratory	P	N	N	N	N	P	P
Laboratory, dental/medical	P	P	P	N	N	P	N
Library	P	P	P	N	N	P	N
Liquor store	P	P	P	P	N	P	N

Locksmith	P	P	P	P	P	P	P
Lumber yards	P	N	N	N	N	P	P
Machine shop (general)	P	N	N	N	N	P	P
Manufacturing, heavy	N	N	N	N	N	N	P
Manufactured home sales	P	N	N	N	N	P	N
Manufacturing, light	N	N	N	N	N	P	P
Manufacturing, clean	P	N	N	N	N	P	N
Mill working	N	N	N	N	N	N	P
Mobile home park	P	N	N	N	N	N	N
Mortuary/funeral home	P	P	N	N	N	P	N
Moving & storage company	P	N	N	N	N	P	N
Museum	P	P	P	P	N	P	N
Music store	P	P	P	N	P	P	N
Nurseries & greenhouses (plants)	P	N	N	N	N	P	P
Nursing homes	P	P	N	N	N	N	N
Office supply & machines, sales, & services	P	P	P	N	N	P	N
Oil and petroleum refining	N	N	N	N	N	N	P
Open-air Businesses	P	P	P	N	N	P	P
Outdoor trap shooting ranges	N	N	N	N	N	C	C
Paint & wallpaper store	P	P	P	N	N	P	N
Park & playgrounds	P	P	P	N	N	P	P
Parking lots	P	P	P	P	P	P	P
Pawn shops	P	P	P	P	N	N	N
Pest control & extermination	P	N	N	N	N	P	P
Pet & pet supply store	P	P	P	N	N	P	N
Photographic studios/film processing	P	P	P	N	N	P	N

Plumbing shops	P	N	N	N	N	P	N
Power plant	N	N	N	N	N	N	P
Professional, business, & admin. offices	P	P	P	N	N	P	P
Professional, business, & admin. offices (not to exceed a maximum of 2000 sq. ft.on the ground floor and having no more than 2 stories above grade.)	P	P	P	P	N	P	P
Railroad spurs and dock facilities	P	N	N	N	N	P	P
Recreational vehicle sales, service & rental (Small - Vehicles customarily hauled to recreational sites such as snowmobiles, ATV's, etc.)	P	P	P	P	N	P	N
Recreational vehicle sales, service & rental (Large - Vehicles customarily towed or driven such as campers, trailers, motor homes, etc.)	P	N	N	N	N	P	N
Recycling	N	N	N	N	N	N	P
Recycling Center, Indoor	N	N	N	N	N	P	P
Residential	P	P	P	N	N	N	N
Residential facility for persons with a disability (see Article XVI)	P	P	P	N	N	N	N
Restaurant	P	P	P	P	P	P	N
Rest homes	P	P	N	N	N	N	N
Salvage yards	N	N	N	N	N	N	P
Sawmills	N	N	N	N	N	N	P
Schools	P	P	P	N	N	P	N
Service stations	P	P	N	P	N	P	P
Sewage service	N	N	N	N	N	N	P
Sexually oriented businesses	N	N	N	N	N	N	P
Shoe sales and repair shops	P	P	P	N	P	P	N

Sign painting	P	N	N	N	N	P	P
Sporting goods stores	P	P	P	N	N	P	N
Storage rental (more than 1.5 acre)	N	N	N	N	N	P	P
Storage rental (not more than 1.5 acres including: buildings, outdoor storage, and associated parking and driveways- with seven foot masonry perimeter fence and no access or frontage on Main Street)	P	N	N	N	N	P	P
Swap meets	P	N	N	N	N	P	N
Tanning, curing, storage of hides	N	N	N	N	N	N	P
Tattoo parlor and body piercing	P	P	P	N	N	P	P
Theaters, indoor & outdoor	P	P	P	N	N	P	N
Tire retreading and/or vulcanizing (associated with sales)	N	N	N	N	N	P	P
Tire sales & service	P	P	N	P	N	P	P
Toy store	P	P	P	N	N	P	N
Trade and vocational schools	P	N	N	N	N	P	P
Travel trailer courts	P	N	N	P	N	P	N
Truck and heavy equipment rental, sales & service (trucks \geq 10,000 GVW)	P	N	N	N	N	P	P
Truck terminal	P	N	N	N	N	P	P
Upholstery shops	P	P	N	N	N	P	N
Warehouses (with a principal activity of a storage warehouse, excluding heating and chlorine gas and explosives)	N	N	N	N	N	P	P
Welding shop	N	N	N	N	N	P	P
Wholesale outlets	P	P	N	N	N	P	N

Amended by Cedar City Ordinance Number – 0708-09, 0826-09, and 0811-10.